

REMARKS

The office action of October 14, 2004, has been carefully considered.

It is noted that a new title is required.

The drawings are objected to under 37 C.F.R. 1.84(p)(4).

Claims 2-4 and 5 are rejected under 35 U.S.C. 112, second paragraph.

Claims 1-9, 12-14, 16 and 17 are rejected under 35 U.S.C. 102(b) over the patent to Sheeks et al.

Claims 1-10, 12, 13 and 18 are rejected under 35 U.S.C. 102(b) over the patent to Wilkinson.

Claim 11 is rejected under 35 U.S.C. 103(a) over Wilkinson.

Claims 14-17 are rejected under 35 U.S.C. 103(a) over Wilkinson and the patent to McDermott.

Claim 19 is rejected under 35 U.S.C. 103(a) over Wilkinson.

In connection with the Examiner's requirement for a new title, applicant has adopted the title suggested by the Examiner.

Regarding the Examiner's objection to the drawings, applicant has amended the specification so that the reference numeral 6 is not used to designate two different components. In view of this change it is respectfully submitted that the objection to the drawings is overcome and should be withdrawn.

In view of the Examiner's rejections of the claims, applicant has canceled claims 4 and 6-8, and amended claims 1, 2, 5 and 9.

It is respectfully submitted that the claims now on file particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the claims to address the instances of indefiniteness cited by the Examiner.

In view of these considerations it is respectfully submitted that the rejection of claims 2-4 and 5 under 35 U.S.C. 112, second paragraph is overcome and should be withdrawn.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the references and particularly to the patent to Sheeks et al., it can be seen that this patent discloses an electrotherapeutic apparatus with a fixed coil and a slidable contact. In the presently claimed invention, on the other hand, the sliding contact is stationary on the main body and the winding is movable relative to the sliding contact. This is not disclosed by Sheeks et al.

In view of these considerations it is respectfully submitted that the rejection of claims 1-9, 12-14, 16 and 17 under 35 U.S.C. 102(b) over the above-discussed reference is overcome and should be withdrawn.

The patent to Wilkinson discloses a flashlight with a fixed winding 14 and a movable sliding contact 27. In the presently claimed invention, on the other hand, the sliding contact is stationary on the main body and the winding is movable relative to the sliding contact. This is not disclosed by Wilkinson.

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In view of these considerations it is respectfully submitted that the rejection of claims 1-10, 12, 13 and 18 under 35 U.S.C. 102(b) and the rejections of claims 11 and 19 under 35 U.S.C. 103(a) over the above-discussed reference are overcome and should be withdrawn.

The patent to McDermott discloses a portable lighting device. The Examiner combined McDermott with Wilkinson in determining that claims 14-17 would be unpatentable over such a combination. Applicant respectfully submits that McDermott adds nothing to the teachings of Wilkinson so as to teach the features of the presently claimed invention as discussed above in connection with the rejection of the independent claim. The combination does not teach a sliding contact stationary on the main body and a winding movable relative to the sliding contact, as in the presently claimed invention.

In view of these considerations it is respectfully submitted that the rejection of claims 14-17 under 35 U.S.C. 103(a) over a combination of the above-discussed references is overcome and should be withdrawn.

Reconsideration and allowance of the present application are

respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

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Dated: January 14, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on January 14, 2005.

By: 
Klaus P. Stoffel

Date: January 14, 2005